

ROBERT CHARLES ANTHONY KING,)
)
 Plaintiff,)
)
 v.) 1:23CV730
)
 MR. DICKERSON and MR. PHILLIP,)
)
 Defendants.)

Case 1:23-cv-00730-TDS-JEP Document 30 Filed 01/30/24 Page 1 of 2

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss (Doc. 11) is DENIED because it relies on evidence outside the pleadings, but such denial is without prejudice to further consideration on a future motion for summary judgment; and that Plaintiff's motion for summary judgment (Doc. 19) is DENIED as premature without prejudice to further consideration on a future motion after the close of the discovery period.

/s/ Thomas D. Schroeder
United States District Judge

January 30, 2024